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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,683	06/30/2000	Jan-Dieter Spalink	FOV0002-US	8443

26108 7590 07/23/2004

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DURHAM, NC 27713

EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,683

Applicant(s)

SPALINK ET AL.

Examiner

Hussein A El-chanti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,7,8,11 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,7,8,11 and 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to RCE received on May 28, 2004. Claims 15-22 were newly added. Claims 1 and 8 were amended. Claims 9 and 10 were canceled. Claims 1-3, 7, 8, 11 and 15-22 are pending examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites the limitation "the voting system" in the first line of the claim.

There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

3. Claim 8 is objected to because of the following informalities:

Claim 8 states "a at least one" in the 7th line of the claim. Appropriate correction is required. Examiner assumes applicant intended to state "at least one".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 8 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Tange, U.S. Patent No. 6,483,525.

As to claim 8, Tange teaches a system for classifying information available on a computer network, the system including:

a resource generator component that creates a list of network resource locators from network resources accessed by users of the network (see col. 4 lines 59-col. 5 lines 2, where the list of home pages are the list of network resource locators);

a datastore component for storing the classification information for a plurality of network resource locators (see col. 2 lines 25-35);

a at least one GUI component having tools to select the classification for each resource (see col. 6 lines 60-7 lines 5-15);

a classification processor component that receives the list of network resource locators, causes presentation of said network resource locators using GUI, and receives classification, and stores the classification in said data store component (see col. 7 lines 5-15, the user classifies the resource locator by dragging the address and dropping in one of the classification directories displayed in the GUI).

As to claim 11, Tange teaches the system of claim 8 wherein said tools include a hierarchical taxonomy of classifications and said selection represents one of said classifications (see col. 2 lines 36-45 and Fig. 14 shows a hierarchical taxonomy of classifications embedded in the browser).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange in view of Chakrabarti et al., U.S. Patent No. 6,356,899 (referred to hereafter as Chakrabarti).

As to claim 1, Tange teaches a method for classifying information available on a computer network, the method including:

receiving a list of network resource locators, said list being created by identifying resources accessed by users of the network (see col. 4 lines 59-col. 5 lines 2);

for each network resource locator of the created list,

sending the network resource locator to a GUI of a web-coding workstation (see col. 2 lines 36-55);

receiving a selection from the web-coding workstation representing a classification for the resource (see col. 2 lines 36-55);

storing the classification of said resource locator (see col. 2 lines 25-35).

Tange does not explicitly teach the limitation "storing the classification in a database". However Chakrabarti teaches a database for storing classification of web pages (see col. 5 lines 56-col. 6 lines 10).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Tange by incorporating a database to store the selected

classification of a network resource as taught by Chakrabarti because doing so would allow the user to easily retrieve the classification of URL using a database search.

As to claim 2, Tange teaches the method of claim 1 wherein the list of network resource locators includes one or more web sites accessed by users of the network (see col. 4 lines 59-col. 5 lines 2).

As to claim 3, Tange teaches the method of claim 1 wherein said tools include a hierarchical taxonomy of classifications and said selection represents one of said classifications (see col. 2 lines 36-45 and Fig. 14 shows a hierarchical taxonomy of classifications embedded in the browser).

As to claim 7, Chakrabarti teaches the method of claim 1 wherein the database is one or more from the group consisting of:

a flat file; a binary tree; a relational database; and an object oriented database (see col. 5 lines 56-col. 6 lines 10).

6. Claims 15 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange in view of Chakrabarti further in view of Tso et al., U.S. Patent No. 5,400,248 (referred to hereafter as Tso).

As to claim 15, Tange and Chakrabati do not teach the limitation "classification in assigned based on receiving more than one resource selection said more than one Web-coding work-station".

However Tso teaches multiple-level voting system including a first level, a second level, and a third level (see col. 5 lines 60-67). The threshold of the majority vote may be set to three out of four votes, two out of three votes, or one out of one vote. One

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of the ordinary skills in the art at the time of the invention would classify network resource locators into categories according to Tso majority vote to determine more precise classification properties of given list of network resource locators.

As to claim 17, the method of claim 1, wherein the network resource locator is sent to a plurality of Web-coding workstations with one of the plurality of Web-coding workstations being assigned a predetermined level from lowest to highest and wherein said classification is assigned based on receiving a first predetermined number from Web-coding workstations at the lowest level the first predetermined number of same selections is not received at the lowest level, basing the classification on receiving a second predetermined number of same selections from web-coding workstations at the next highest level, and if not received at the next highest level, repeating the process upward by level until a level specific predetermined number of selections are received from one of the levels.

As to claim 18, Tso teaches the voting system is a multiple level voting system including a first level a second level, and a third level (see col. 5 lines 60-67). The threshold of the majority vote may be set to three out of four votes, two out of three votes, or one out of one vote (see col. 5).

As to claim 19, Tso teaches said at least one GUI comprises at least one GUI and said data store is connected for storing the classification therein based on more than one same classification received for each resource identified (see col. 5).

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7. Claims 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tange in view of Chakrabati further in view of Peercy et al., U.S. Patent No. 5,960,429.

Tange teaches a system for classifying information available on a computer network, the system including a resource generator component that creates a list of network resource locators, a datastore component for storing the classification information for a plurality of network resource locators, a GUI component having tools to select the classification for each resource and a classification processor component that receives the list of network resource locators, causes presentation of said network resource locators using GUI, and receives classification, and stores the classification in said data store component.

However Peercy et al teach the resource generator component creates the list of network resource locators (see col. 4lines 30-47 and fig. 2) and sorted by the number of unique users visiting the network resource locator (see col. 4lines 30-47 and fig. 2).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Tange by incorporating the step of generating a list of network resource locator as taught by Peercy because doing so would allow the user to categorize the lists of websites that are most frequently visited by users and that represent the area of interest of these unique users.

8. Claims 20 and 21 do not teach or define any additional limitation over claims 15-19 and therefore are rejected for similar reasons.

9. Applicant's arguments filed have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that; A) Tange does not teach "identifying resources accessed by users of the network" B) Tange teaches a single user and not multiple users.

In response to A) Tange teaches a method of retrieving and accessing URLs. The user access the website and assigns a classification accordingly (see fig. 9). There is no limitation on how and when the network resources are being identified and therefore Tange meets the scope of the claimed limitation "identifying resources accessed by users of the network".

In response to B) Claim 1 recites "at least one GUI component" and therefore the single user of Tange meets the scope of the claimed limitation "at least one GUI component".

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

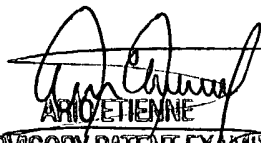
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

July 14, 2004


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